

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
Oxford Division

JOHN RASH, )  
 )  
 Plaintiff, )  
 ) Civil No. 3:20-cv-00224-NBB-RP  
 v. )  
 )  
 LAFAYETTE COUNTY, MISSISSIPPI, )  
 )  
 Defendant. )  
 )  
 )

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**PLAINTIFF JOHN RASH'S COMBINED MOTIONS IN LIMINE**

Pursuant to Section 8 of the court's September 15, 2021 Case Management Order (ECF No. 36), Plaintiff John Rash respectfully submits these motions in limine.

1. Motion in Limine I: Defendant should be precluded at trial from offering or eliciting evidence or testimony regarding the former County Administrator's views concerning the County's enactment of the Facility Use Policy, because the only evidence in the discovery record concerning this subject matter is inadmissible hearsay.

2. Motion in Limine II: Defendant should be precluded at trial from introducing evidence of public safety or traffic safety issues or incidents not disclosed in discovery.

3. Motion in Limine III: Defendant should be precluded at trial from introducing the January 2021 Facility Use Policy as evidence of the rationale for the policies at issue in this litigation, because that document constitutes a post-hoc rationalization created during the course of litigation.

4. Motion in Limine IV: The Court should pre-admit certain photographic and video evidence produced by Plaintiff during discovery because such evidence is authentic, relevant, and

admissible.

5. In support of these Motions, Plaintiff submits the exhibits listed below and an accompanying Omnibus Memorandum of Law in support.

**Exhibit 1:** Transcript of the December 3, 2020 deposition of Jeffrey Glynn Busby.

**Exhibit 2:** Transcript of the December 18, 2020 deposition of Sheriff Joey East.

**Exhibit 3:** Transcript of the January 7, 2021 deposition of Jeff McCutchen.

**Exhibit 4:** Transcript of the January 13, 2021 deposition of Mike Roberts.

**Exhibit 5:** Transcript of the January 14, 2021 deposition of Brent Allen Larson.

**Exhibit 6:** Defendant's Responses to Plaintiff's First Set of Interrogatories and Defendant's Supplemental Response to Plaintiff's First Set of Interrogatories.

**Exhibit 7:** January 13, 2021 Email From D. O'Donnell, Esq. to J. Youngwood, Esq., J. Tom, Esq., and J. Williams, Esq. re: Rash v. Lafayette County - July 2020 - Revised facility use policy.

**Exhibit 8:** Lafayette County Facility Use Policy, Effective Date: July 20, 2020 (adopted January 4, 2021).

**Exhibit 9:** Photos by Joe York (RASH\_2656-2720).

**Exhibit 10:** Videos by Joe York (RASH\_2721-2722) (conventionally filed).

**Exhibit 11:** Declaration of Joe York.

Respectfully submitted,

Dated: April 12, 2021

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/s/ Joshua Tom  
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**CERTIFICATE OF SERVICE**

I, Joshua Tom, hereby certify that on April 12, 2021, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to all parties on file with the Court.

/s/ Joshua Tom  
Joshua Tom